

00862.022178



PATENT APPLICATION

734 122 -3 PM 4:10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

US PATENT & TRADEMARK
OFFICE

In re Application of:)
YASUO OKUTANI ET AL.) Examiner: A. Armstrong
Application No.: 09/819,613) Art Unit: 2654
Filed: March 29, 2001)
For: METHOD AND APPARATUS OF)
SELECTING SEGMENTS OF)
SPEECH SYNTHESIS BY WAY OF)
SPEECH SEGMENT)
RECOGNITION (As Amended)) March 2, 2006

Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Sir:

In connection with the above-identified application, Applicants request a refund of \$400.00 for independent claims in excess of three, which was charged to our Deposit Account 06-1205. It is requested that the refund be applied as a credit to that Deposit Account. The reason for the refund is explained below.

On December 20, 2005, Applicants filed an Amendment and Second Request for Consideration of Previously-Cited Document and an Amendment Transmittal. No additional claims fees were due at that time. A copy of the Amendment, Transmittal and return postcard are attached.

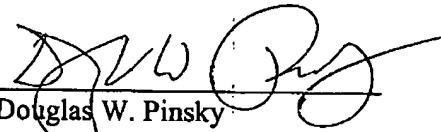
BEST AVAILABLE COPY

The Patent Office's Monthly Statement of Deposit Account, dated December 2005 (copy attached), indicates that Deposit Account No. 06-1205 was charged the fee of \$400.00 for an excess claim fee. Applicants respectfully submit that a refund of \$400.00 is due.

Accordingly, Applicants hereby request a refund and authorize the Commissioner to credit Deposit Account No. 06-1205 in the amount of \$400.00, to correct this matter.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,


Douglas W. Pinsky
Attorney for Applicants
Registration No. 46,994

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 555643v1



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date 12/20/05
Mo. Day Yr.

Atty. Docket 00862.022/78

Application No. 09/819,613

Sir:

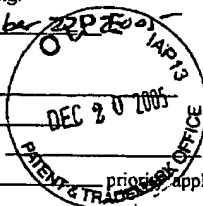
Kindly acknowledge receipt of the accompanying:

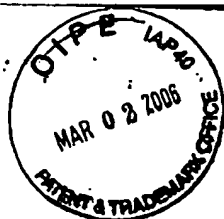
- ☒ Response to Official Action. dated September 22, 2005
- ☐ Check for \$ _____ (claims fee)
- ☐ Petition under 37 CFR 1.136 and Check for \$ _____
- ☐ Notice of Appeal and Check for \$ _____
- ☐ Information Disclosure Statement, PTO-1449 and _____ documents
- ☐ Claim for priority and certified copies of _____ prior applications
- ☐ Issue fee transmittal and Check for \$ _____
- ☒ Other (specify) Transmittal (Amendment and Second Request for Consideration of Previously-Cited Document)
- by placing your receiving date stamp hereon and returning to deliverer.

Atty. DWP/KLM

Due Date 12/22/05
Mo. Day Yr.

80-0-0





In re Application of:

YASUO OKUTANI ET AL.

Application No.: 09/819,613

Filed: March 29, 2001

For: METHOD AND APPARATUS OF
SELECTING SEGMENTS FOR
SPEECH SYNTHESIS BY WAY OF
SPEECH SEGMENT RECOGNITION
(As Amended)

Docket No. 00862.022178

Examiner: A. Armstrong

Group Art Unit: 2654

December 20, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment and Second Request for Consideration of Previously-Cited Document in the above-identified application.

☒ No additional fee is required.

The fee has been calculated as shown below

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	10	MINUS	23	0	x \$25 \$50	\$0.00
INDEP. CLAIMS	5	MINUS	6	0	x \$100 \$200	\$0.00
Fee for Multiple Dependent claims \$180°/\$360						\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT---						\$0.00

☐ Verified Statement claiming small entity status is enclosed, if not filed previously.

☐ A check in the amount of \$_____ is enclosed.

☐ Charge \$_____ to Deposit Account No. 06-1205. A duplicate copy of this sheet is enclosed.

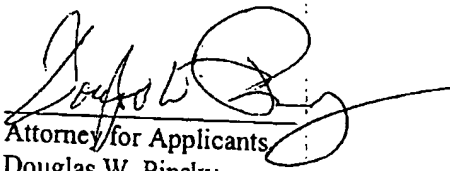
☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate copy of this paper is enclosed.

☐ A check in the amount of \$_____ to cover the fee for a _____ month extension is enclosed.

☐ A check in the amount of \$_____ to cover the Information Disclosure Statement fee is enclosed.

☒ Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to the address given below.

Respectfully submitted,


Attorney for Applicants
Douglas W. Pinsky
Registration No. 46,994

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
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DWP/kdm



00862.022178

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

YASUO OKUTANI ET AL.

Application No.: 09/819,613

Filed: March 29, 2001

For: METHOD AND APPARATUS OF
SELECTING SEGMENTS FOR
SPEECH SYNTHESIS BY WAY OF
SPEECH SEGMENT RECOGNITION
(As Amended)

Examiner: Angela A. Armstrong

Group Art Unit: 2654

December 20, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND SECOND REQUEST FOR CONSIDERATION OF
PREVIOUSLY-CITED DOCUMENT

Sir:

In response to the Office Action dated September 22, 2005, please amend the
above-identified application as follows:

IN THE CLAIMS

Please amend Claims 4, 5, 11 and 12, and add Claims 27-32, to read as follows.

1-3. (Canceled)

4. (Currently Amended) ~~A speech signal processing~~ An apparatus for forming a speech segment dictionary for use in speech synthesis, comprising:

speech segment search means for searching a speech database for speech segments that satisfy a phonetic environment;

HMM learning means for computing HMMs of phonemes on the basis of a search result of said speech segment search means;

segment recognition means for performing segment recognition of the speech segments on the basis of the HMMs of the phonemes; and

registration segment means for determining and registering a speech segment in a segment dictionary when the number of speech segments recognized by said segment recognition means is not less than a predetermined value.

5. (Previously Presented) The apparatus according to claim 4, wherein said registration segment means registers a speech segment in the segment dictionary if at least a vowel part of the speech segment is correctly recognized, even when the number of

speech segments recognized by said segment recognition means is not more than a predetermined value.

6-10. (Canceled)

11. (Currently Amended) A ~~speech signal processing method~~ method for forming a speech segment dictionary for use in speech synthesis, comprising:

a speech segment search step of searching a speech database for speech segments that satisfy a phonetic environment;

an HMM learning step of computing HMMs of phonemes on the basis of a search result in said speech segment search step;

a segment recognition step of performing segment recognition of the speech segments on the basis of the HMMs of the phonemes; and

a registration segment step of determining and registering a speech segment in a segment dictionary when the number of speech segments recognized in said segment recognition step is not less than a predetermined value.

12. (Previously Presented) The method according to claim 11, wherein said registration segment step includes a step of registering a speech segment in the segment dictionary if at least a vowel part of the speech segment is correctly recognized, even when the number of speech segments recognized in said segment recognition step is not more than a predetermined value.

13-26. (Canceled)

27. (New) A speech synthesis apparatus comprising a unit for synthesizing speech and a unit for forming a speech segment dictionary for use in speech synthesis, the unit for forming a speech segment dictionary for use in speech synthesis comprising:

speech segment search means for searching a speech database for speech segments that satisfy a phonetic environment;

HMM learning means for computing HMMs of phonemes on the basis of a search result of said speech segment search means;

segment recognition means for performing segment recognition of the speech segments on the basis of the HMMs of the phonemes; and

registration segment means for determining and registering a speech segment in a segment dictionary when the number of speech segments recognized by said segment recognition means is not less than a predetermined value.

28. (New) The apparatus according to claim 27, wherein said registration segment means registers a speech segment in the segment dictionary if at least a vowel part of the speech segment is correctly recognized, even when the number of speech segments recognized by said segment recognition means is not more than a predetermined value.

29. (New) A speech synthesis apparatus comprising (i) a unit for forming a speech segment dictionary for use in speech synthesis, and (ii) a unit for synthesizing

speech, wherein said unit for forming a speech segment dictionary for use in speech synthesis comprises:

speech segment search means for searching a speech database for speech segments that satisfy a phonetic environment;

HMM learning means for computing HMMs of phonemes on the basis of a search result of said speech segment search means;

segment recognition means for performing segment recognition of the speech segments on the basis of the HMMs of the phonemes; and

registration segment means for determining and registering a speech segment in a segment dictionary when the number of speech segments recognized by said segment recognition means is not less than a predetermined value,

and wherein said unit for synthesizing speech comprises:

a unit for inputting text data; and

a unit for synthesizing speech corresponding to the inputted text data, using the unit for forming a speech segment dictionary for use in speech synthesis.

30. (New) The apparatus according to claim 29, wherein said registration segment means registers a speech segment in the segment dictionary if at least a vowel part of the speech segment is correctly recognized, even when the number of speech segments recognized by said segment recognition means is not more than a predetermined value.

31. (New) A speech synthesis method comprising (i) a method for forming a speech segment dictionary for use in speech synthesis, and (ii) a method for synthesizing speech, wherein said method for forming a speech segment dictionary for use in speech synthesis comprises:

a speech segment search step of searching a speech database for speech segments that satisfy a phonetic environment;

an HMM learning step of computing HMMs of phonemes on the basis of a search result in said speech segment search step;

a segment recognition step of performing segment recognition of the speech segments on the basis of the HMMs of the phonemes; and

a registration segment step of determining and registering a speech segment in a segment dictionary when the number of speech segments recognized in said segment recognition step is not less than a predetermined value,

and wherein said method for synthesizing speech comprises:

an input step of inputting text data; and

a speech synthesis step of synthesizing speech corresponding to the inputted text data, using the method for forming a speech segment dictionary for use in speech synthesis.

32. (New) The speech signal processing method according to claim 31, wherein said registration segment step includes a step of registering a speech segment in the segment dictionary if at least a vowel part of the speech segment is correctly

recognized, even when the number of speech segments recognized in said segment recognition step is not more than a predetermined value.

REMARKS

This application has been reviewed in light of the Office Action dated September 22, 2005. In view of the foregoing amendments and the following remarks, favorable reconsideration and withdrawal of the rejection set forth in the Office Action are respectfully requested.

Claims 4, 5, 11, 12 and 27-32 are pending. Claims 4, 5, 11, and 12 have been amended. Claims 27-32 have been added. Support for the new claims and claim changes can be found in the original disclosure, and therefore no new matter has been added.

Claims 4, 11, 27, 29 and 31 are in independent form.

Claims 4, 5, 11 and 12 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Specifically, the Office Action (page 2, paragraph 2) stated that the "claims do not provide an input signal of [*sic*, on] which to perform the speech signal processing and do not provide a specific useful output."

Without conceding the propriety of the rejection, Claims 4, 5, 11 and 12 have been amended. Applicants submit that all of the pending claims comply with Section 101. (It is noted that the claims no longer recite a speech signal processing apparatus or method. It is submitted that it would be evident to one of ordinary skill in the art, based on the subject matter recited in the claims, that the inventions to which the claims are directed are "useful," as required under Section 101.) Withdrawal of the rejection is respectfully requested.

In view of the foregoing amendments and remarks, the subject application is believed to be in condition for allowance. Applicants respectfully request favorable reconsideration and early passage to issue of the application.

SECOND REQUEST FOR CONSIDERATION OF PREVIOUSLY-CITED DOCUMENT

The Third Information Disclosure Statement, timely filed on June 15, 2001, cited fourteen documents, which were submitted therewith. In the Office Action dated October 23, 2003 (including Forms PTO-892 attached thereto), the Examiner acknowledged consideration of all of the cited documents (including pending U.S. patent applications not listed on Form PTO-1449), except for U.S. Patent Application No. 08/739,013. That application has now issued as U.S. Patent No. 6,662,159. Applicants respectfully request that the Examiner indicate in the next official communication that that reference has been considered, either by issuing a Form PTO-892 or by returning an initialed copy of the enclosed Form PTO-1449, on which U.S. Patent No. 6,662,159 is listed.

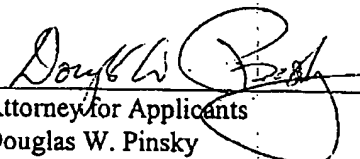
Applicants made this request in the Amendment and Request for Consideration of Previously-cited Document filed on April 5, 2005. However, Applicants did not receive an initialed copy of the Form PTO-1449 or any other response to their request. Accordingly, this Second Request is being filed.

It is noted that a copy of the date-stamped postcard, indicating receipt by the U.S. Patent and Trademark Office of the Third Information Disclosure Statement, the accompanying Form PTO-1449, and the fourteen cited documents, was submitted with the Request filed on April 5, 2005.

It is noted that U.S. Patent Application No. 08/739,013 as originally submitted, as well as the Third Information Disclosure Statement and the copy of the date-stamped postcard, are contained in the IFW of the subject application, as verified by PAIR.

Applicants' undersigned attorney may be reached in our Washington, D.C.
office by telephone at (202) 530-1010. All correspondence should continue to be directed
to our below-listed address.

Respectfully submitted,


Attorney for Applicants
Douglas W. Pinsky
Registration No. 46,994

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DWP/klm

DC_MAIN 225420v1

Statement

United States
Patent and
Trademark Office



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Deposit Account Statement

Requested Statement Month: December 2005
 Deposit Account Number: 061205
 Name: FITZPATRICK CELLA HARPER & SCINTO
 Attention:
 Address: 30 ROCKEFELLER PLAZA
 City: NEW YORK
 State: NY
 Zip: 10112-3801
 Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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Deposit Account Statement

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Déposit Account Statement

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2/09 1215 78770033	947.10915	7001	\$650.00	\$32,370.00
2/12 15 10543018	03500.018032	9204	-\$100.00	\$32,470.00
2/12 120 78770347	224.383	7001	\$975.00	\$31,495.00
2/12 287 11297464	03440.000100	1202	\$4,890.00	\$26,605.00
2/12 289 11297464	03440.000100	1203	\$360.00	\$26,245.00
2/12 1889 76210802	03141.000100	7003	\$100.00	\$26,145.00
2/13 1 11275113	03500.107020	1011	\$300.00	\$25,845.00
2/13 2 11275113	03500.107020	1111	\$500.00	\$25,345.00
2/13 3 11275113	03500.107020	1311	\$200.00	\$25,145.00
2/13 4 10170358	00862.022633	1201	\$200.00	\$24,945.00
2/13 16 76521336	01790.000091	7402	\$300.00	\$24,645.00
2/13 60 11275124	03500.112059	1011	\$300.00	\$24,345.00
2/13 61 11275124	03500.112059	1111	\$500.00	\$23,845.00
2/13 62 11275124	03500.112059	1311	\$200.00	\$23,645.00
2/13 63 11275124	03500.112059	1201	\$200.00	\$23,445.00
2/13 64 11275125	01306.106973	1011	\$300.00	\$23,145.00
2/13 65 11275125	↓ ↓	1111	\$500.00	\$22,645.00
2/13 66 11275125	↓ ↓	1311	\$200.00	\$22,445.00
2/13 204 11275124	03500.112059	8021	\$40.00	\$22,405.00
2/13 270 11275125	01306.106973	8021	\$40.00	\$22,365.00
2/13 418 78771495	01422.008041	7001	\$975.00	\$21,390.00
2/13 1580 78772017	999.9H	7001	\$975.00	\$20,415.00

Deposit Account Statement

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12/13 1584 78772018	999.91 NOT IN SYSTEM	7001	\$975.00	\$19,440.00
12/14 2 10827435	03500.018084	1201	\$600.00	\$18,840.00
12/14 214 11299960	00684.520015	1011	\$300.00	\$18,540.00
12/14 215 11299960	00684.520015	1111	\$500.00	\$18,040.00
12/14 216 11299960	00684.520015	1311	\$200.00	\$17,840.00
12/14 228 11299964	00684.521019	1011	\$300.00	\$17,540.00
12/14 229 11299964	00684.521019	1111	\$500.00	\$17,040.00
12/14 230 11299964	00684.521019	1311	\$200.00	\$16,840.00
12/14 244 78593389	02650.000T25	7002	\$100.00	\$16,740.00
12/15 44 11272860	00684.003530.1	1081	\$250.00	\$16,490.00
12/15 44 11275142	03560.119223.	1011	\$300.00	\$16,190.00
12/15 45 11275142	03560.119223.	1111	\$500.00	\$15,690.00
12/15 46 11275142	03560.119223.	1311	\$200.00	\$15,490.00
12/15 1847 76037876	02649.T13	7004	\$150.00	\$15,340.00
2/16 2 6668082	01263.000596	9204	-\$100.00	\$15,440.00
2/16 6 REPLENISHMENT		9204	-\$30,172.00	\$45,612.00
2/16 7 10023932	01272.020498	1811	\$100.00	\$45,512.00
2/16 22 6636644	862.3151	1462	\$400.00	\$45,112.00
2/16 24 11275151	02910.111285	1011	\$300.00	\$44,812.00
2/16 25 11275151	02910.111285	1111	\$500.00	\$44,312.00
2/16 26 11275151	02910.111285	1311	\$200.00	\$44,112.00
2/16 27 11275151	02910.111285	1201	\$200.00	\$43,912.00
2/16 65 11271788	00684.002673.7	1081	\$500.00	\$43,412.00
2/16 70 11275151	02910.111285	8021	\$40.00	\$43,372.00
2/19 14 11275174	02910.111424.	1011	\$300.00	\$43,072.00
2/19 15 11275174	02910.111424.	1111	\$500.00	\$42,572.00
2/19 16 11275174	02910.111424.	1311	\$200.00	\$42,372.00
2/19 18 11275174	02910.111424.	8021	\$40.00	\$42,332.00
2/19 30 11275142	03560.119223.	8021	\$40.00	\$42,292.00
2/19 154 09964656	35.C15844	1201	\$200.00	\$42,092.00
2/19 273 11304732	00684.516962	1011	\$300.00	\$41,792.00
2/19 274 11304732	00684.516962	1111	\$500.00	\$41,292.00
2/19 275 11304732	00684.516962	1311	\$200.00	\$41,092.00
2/19 1361 76540933	01953.008010	7004	\$300.00	\$40,792.00
2/19 1393 76599082	01486.08020A	7004	\$150.00	\$40,642.00
2/20 30 2397174	3149.10	7205	\$100.00	\$40,542.00
2/20 31 2397174	3149.10	7208	\$200.00	\$40,342.00
2/20 33 09599950	169.1753	1252	\$30.00	\$40,312.00
2/20 128 11275231	03500.000014.1	1011	\$300.00	\$40,012.00
2/20 129 11275231	03500.000014.1	1111	\$500.00	\$39,512.00
2/20 130 11275231	03500.000014.1	1311	\$200.00	\$39,312.00
2/20 192 11199122	03500.013649.2	1806	\$180.00	\$39,132.00
2/20 1817 2322243	01353.008194.	7205	\$100.00	\$39,032.00
2/20 1818 2322243	01353.008194.	7208	\$200.00	\$38,832.00
2/20 1993 78777168	947.8459B.1	7001	\$325.00	\$38,507.00
2/21 55 11270633	00862.022225.1	1081	\$250.00	\$38,257.00
2/21 64 5680588	03560.127774	8023	\$120.00	\$38,137.00
2/21 73 10364317	03500.017006	8007	\$20.00	\$38,117.00
2/21 478 78777427	01190.000124.US	7007	\$275.00	\$37,842.00
2/22 1 09711956	35.C14928	1201	\$600.00	\$37,242.00
2/22 6 10543544	03500.017849	9204	-\$100.00	\$37,342.00

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Deposit Account Statement

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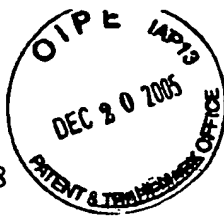
12/29-203-09482872	862.3206	1201	\$400.00	\$22,407.00
12/29 204 09482872	862.3206	1202	\$300.00	\$21,807.00
12/29 474 78577544	03119.0000T9.	7001	\$325.00	\$21,482.00
12/29 510 78581699	03119.0000T10	7001	\$325.00	\$21,157.00
12/29 1021 76595824	1190.T56B.	7003	\$100.00	\$21,057.00
12/30 3 09819613	862.C2178	1201	\$400.00	\$20,657.00
12/30 51 11294561	03,00.016090.2	9204	-\$460.00	\$21,117.00
12/30 168 78782460	01938.008514	7001	\$325.00	\$20,792.00
12/30 191 2589059	01044.0T4001.CA	8504	\$30.00	\$20,762.00

START
BALANCE
\$16,181.00

SUM OF
CHARGES
\$74,189.00

SUM OF END
REPLENISH BALANCE
\$78,770.00 \$20,762.00

00862.022178



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
: Examiner: Angela A. Armstrong
YASUO OKUTANI ET AL.)
: Group Art Unit: 2654
Application No.: 09/819,613)
: Filed: March 29, 2001)
: For: METHOD AND APPARATUS OF)
SELECTING SEGMENTS FOR)
SPEECH SYNTHESIS BY WAY OF)
SPEECH SEGMENT RECOGNITION)
(As Amended)) December 20, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND SECOND REQUEST FOR CONSIDERATION OF
PREVIOUSLY-CITED DOCUMENT

Sir:

In response to the Office Action dated September 22, 2005, please amend the
above-identified application as follows:

Adjustment Date: 03/23/2006 SDIRETA1
12730/2005 AFREEMAN 00000003 061205 09819613
01 FC:1201 400.00 CR

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